

Assam Rhinoceros Preservation (Amendment) Act, 1970

17 of 1970

[01 October 1970]

CONTENTS

1. Short title, extent and commencement
2. Amendment of section 2 of Assam Act XX of 1954
3. Amendment of section 5 of Assam Act XX of 1954
4. Amendment of section 7 of Assam Act XX of 1954
5. Amendment of section 8 of Assam Act XX of 1954

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PREAMBLE

An

Act

to amend the Assam Rhinoceros Preservation Act, 1951

Whereas it is expedient to amend the Assam Rhinoceros Preservation Act, 1954 (Assam Act XX of 1954), hereinafter called the principal Act, in the manner hereinafter appearing;

It is hereby enacted in the Twenty-first Year of the Republic of India as follows:--

1. Short title, extent and commencement :-

- (1) This Act may be called the Assam Rhinoceros Preservation (Amendment) Act, 1970.
- (2) It shall have the like application as the principal Act,
- (3) It shall come into force at once.

2. Amendment of section 2 of Assam Act XX of 1954 :-

In section 2 of the principal Act between the words "Rhinoceros" and "unless" the words "or be-in possession of any limb or part of a rhinoceros" shall be inserted.

3. Amendment of section 5 of Assam Act XX of 1954 :-

(1) In sub-section (1) of section 5 of the principal Act after the words "or capture any Rhinoceros" the words "or is found to be in possession of any limb or part of a rhinoceros" shall be inserted.

(2) The words "with fine of one thousand rupees and with imprisonment which may extend to one year" shall be substituted by the words "with fine of two thousand rupees and with imprisonment which may extend to three years".

4. Amendment of section 7 of Assam Act XX of 1954 :-

In sub-section (1) of section 7 of the principal Act after the words "or capture any Rhinoceros" and before the words "in contravention of the provisions of this Act" the words "or possessing any limb or part of a rhinoceros" shall be inserted.

5. Amendment of section 8 of Assam Act XX of 1954 :-

Section 8 of the principal Act shall be substituted by the following:-

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"Any Forest Officer not being below the rank of a Forester or any Police Officer not being below the rank of a Sub-Inspector of Police, who has reason to believe that for tracing an offence against this Act immediate search of a building or enclosed place is indispensable, may, even without obtaining a warrant from a Magistrate, search such building or enclosed place and seize such instruments, implements or any other thing which may furnish evidence of the commission of the offence:

Provided that after such search, he shall submit a report in writing within forty-eight hours to the Magistrate within whose jurisdiction the said search was made.